

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF WISCONSIN**

In re:

Rodney Ryan and
Jill Ryan,

Case No. 19-29833
Chapter 7

Debtors.

Branko PRPA MD LLC,

Plaintiff,

vs.

Adversary No. 19-02209

Rodney and Jill Ryan, and

Fortune & McGillis, S.C.,

Defendants.

NOTICE OF APPEAL AND STATEMENT OF ELECTION

Part 1: Identify the appellant(s)

1. Name(s) of appellant(s): Rodney Ryan and Jill Ryan, and Fortune & McGillis, S.C.,
2. Position of appellant(s) in the adversary proceeding or bankruptcy case that is the subject of this appeal:

For appeals in an adversary proceeding.

☐ Plaintiff

☒ Defendant

☐ Other (describe) _____

For appeals in a bankruptcy case and not in an
adversary proceeding.

☐ Debtor

☐ Creditor

☐ Trustee

☐ Other (describe) _____

Part 2: Identify the subject of this appeal

1. Describe the judgment, order, or decree appealed from:

Decision on Plaintiff's Motion for Summary Judgment and Objection to Debtors' Claim of Exemptions, ECF No. 66, attached hereto as Exhibit A, holding that funds placed in Defendant Fortune's trust account pursuant to a Compromise Agreement were not property of the estate due to the creation of an express trust, or in the alternative, by imposing a constructive trust, and therefore not subject to a claim of exemption; and Order on Plaintiff's Motion for Summary Judgment, ECF No. 67, attached hereto as Exhibit B, based on such Decision.

2. State the date on which the judgment, order, or decree was entered: March 24, 2021

Part 3: Identify the other parties to the appeal

List the names of all parties to the judgment, order, or decree appealed from and the names, addresses, and telephone numbers of their attorneys (attach additional pages if necessary):

1. Party: Rodney Ryan and Jill Ryan,
and Fortune & McGillis, S.C. Attorney: Claire Ann Richman
Steinhilber Swanson LLP
122 W. Washington Ave. Suite 850, Madison, WI 53703
(608) 630-8990

2. Party: Branko PRPA MD LLC Attorney: Bruce G. Arnold
Husch Blackwell LLP
555 East Wells St., Suite 1900, Milwaukee WI 53202
(414) 273-2100

Part 4: Optional election to have appeal heard by District Court (applicable only in certain districts)

If a Bankruptcy Appellate Panel is available in this judicial district, the Bankruptcy Appellate Panel will hear this appeal unless, pursuant to 28 U.S.C. § 158(c)(1), a party elects to have the appeal heard by the United States District Court. If an appellant filing this notice wishes to have the appeal heard by the United States District Court, check below. Do not check the box if the appellant wishes the Bankruptcy Appellate Panel to hear the appeal.

☐ Appellant(s) elect to have the appeal heard by the United States District Court rather than by the Bankruptcy Appellate Panel.

Part 5: Sign below

/s/ Claire Ann Richman
Attorney for Appellants

Claire Ann Richman
Steinhilber Swanson LLP
122 W. Washington Ave., Suite 850
Madison, WI 53703
(608) 630-8990

Date: April 7, 2021